

FILED

2019 OCT -2 PM 2:10

U.S. BANKRUPTCY COURT
DISTRICT OF MARYLAND
GREENBELT

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

At Greenbelt

In Re:

LB WALKER,

Debtor.

LB WALKER

Movant,

Vs.

NEIL SELDMAN

Respondent.

Case No. 19-21966

Chapter 7

MOTION TO AVOID JUDICIAL LIEN

1. Debtor, LB Walker, commenced this action on September 6, 2019, by filing a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code.
2. Jurisdiction of the Bankruptcy court to hear this motion is provided by 28 U.S.C. Sec 1334.
3. This motion is filed by the Debtor under 11 U.S.C. Sec 522 (f)(I)(A) to avoid and cancel judicial liens held by Neil Seldman, DC Superior Court in the amount of \$400,000.00, on Debtor's residential property 5305 59th Avenue, Riverdale, Maryland 20737.

4. Debtor became indebted to Neil Seldman as a result of Debtor suing Seldman for an alleged wrongful foreclosure by Seldman. Seldman countersued Debtor and obtained a judgment against Debtor in the amount of \$400,000.00.
5. The existence of Neil Seldman's security interest in Debtor's property impairs exemptions to which the Debtor would be entitled under 11 U.S.C. Sec. 522(b)(f)(2). MD CODE ANN., Cts & JUD. Proc. Sec. 11-504(f)(1)(ii), 11-504(g) (2000), 11-504(b)(5), 11-504(b)(4), 14-501.

WHEREFORE, Debtor moves this Court for an Order which would cancel and avoid the security interest held by Neil Seldman in Debtor's property and for such additional or alternative relief as may be just and proper

DEBTOR:

DATE:

LB Walker

Oct 2, 2019

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of October, 2019, a copy of LB Walker's (Debtor) Motion To Avoid Lien On Debtor's Principal Residence was mailed first class mail, postage prepaid to:

Janet M. Nesse, Bankruptcy Trustee

McNamee, Hosea, et.al.

6411 Ivy Lane, Suite 200

Greenbelt, MD 20770

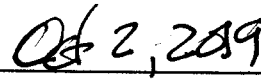
Neil Seldman

3362 Tennyson Ln., NW

Washington, DC 20015

DEBTOR:

DATE:

A handwritten signature in black ink, appearing to read "Neil Seldman", written over a horizontal line.A handwritten date "Oct 2, 2019" in black ink, written over a horizontal line.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

At Greenbelt

In Re:	*		
LB WALKER,	*		
	*	Case No.	19-21966
	*	Chapter	7
Debtor.	*		
*****	*		
LB WALKER	*		
	*		
	*		
Movant,	*		
Vs.	*		
	*		
NEIL SELDMAN	*		
	*		
Respondent.	*		

**ORDER GRANTING MOTION TO AVOID LIEN
ON DEBTOR" PRINCIPAL RESIDENCE**

Having considered debtor's Motion to Avoid Lien, and any response filed thereto, and it appearing that proper notice has been given, pursuant to 11 U.S.C. Sec. 506 and for the reasons set forth in the cases of Johnson v. Asset Management Group, LLC, 226 B.R. 364 (D. MD. 1998), and in First Marnier Bank v. Johnson, 411 B.R. 221 (D. MD. 2009) IT IS BY THE United States Bankruptcy Court for the District of Maryland,

ORDERED, that the claim of Respondent(s) be and is hereby deemed wholly unsecured; and it is further,

ORDERED, that at such time as a discharge Order is entered pursuant to 11 U.S.C. Sec. 1328 the lien held in favor of Respondent(s) on Debtor's real property described as: 5305 59th Avenue, Riverdale, Maryland 20737, is avoided, and it is further,

ORDERED, that if the Respondent has filed or timely files a proof of claim, the claim of the Respondent be and hereby is allowed as a general unsecured claim for purposes of distributions under the Debtor's plan; and it is further,

ORDERED, that allowance of the claim of the Respondent as an unsecured claim pursuant to this Order is without prejudice to objection to such claim on other grounds.

JUDGE:

Date: _____

CC: Janet M. Nesse, Bankruptcy Trustee

McNamee, Hosea, et.al.

6411 Ivy Lane, Suite 200

Greenbelt, MD 20770

LB Walker

5305 59th Avenue

Riverdale, MD 20737

Neil Seldman

3362 Tennyson Ln., NW

Washington, DC 20015

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

At Greenbelt

In Re:

LB WALKER,

Debtor.

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Movant,

Vs.

NEIL SELDMAN

Respondent.

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Case No. 19-21966
Chapter 7

**NOTICE OF DEBTOR'S MOTION
TO AVOID LIEN PURSUANT TO 11 U.S.C SEC. 522(f)
AND HEARING THEREON**

A motion was filed on behalf of the debtor to avoid a lien held by Neil Seldman, Circuit Court for District of Columbia, in the amount of \$400,000.00.

You should read these papers carefully and discuss them with your lawyer. If you do not have a lawyer, you may wish to consult one. A copy of the motion is attached.

If you do not want the court to grant the motion avoiding the lien, or if you want the court to consider your views on the motion, then by October 30, 2019 (parties served by mail may add three (3) additional days to the response deadline) you or your lawyer must file with the Clerk of the Bankruptcy Court a response to the motion explaining your position and mail a copy of the response to: LB Walker, 5305 59th Avenue, Riverdale, MD 20737.

If you mail, rather than deliver, your response to the Clerk of the Court for filing, you must mail it early enough so that the court will receive it by the date stated above.

If you file a timely response to the motion, the hearing on the motion will take place on November 20, 2019, at 10:00 a.m., in Courtroom 3-D, United States Bankruptcy Court,

If you or your lawyer do not file and serve a timely response to the motion, the court may find that you do not oppose the relief sought in the motion and may grant or otherwise dispose of the motion before the scheduled hearing date.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON 2nd DAY OF OCTOBER, 2019, I REVIEWED THE Court's CM/ECF system and it reports that an electronic copy the Notice of Debtor's Motion to Avoid Lien Pursuant to 11 U.S.C. Sec. 533(f) and Hearing thereon will be served electronically by the Court's CM/ECF system on the following:

Janet M. Nesse, Bankruptcy Trustee, Chapter 7

McNamee, Hosea, et.al.

6411 Ivy Lane, Suite 200

Greenbelt, MD 20770

I hereby further certify that on 2nd day of October, 2019, a copy of the Notice of Debtor's Motion to Avoid Lien Pursuant to 11 U.S.C. Sec. 522(f) and Hearing Thereon was also mailed first class mail, postage prepaid to:

Neil Seldman

3362 Tennyson Ln., NW

Washington, DC 20015

A handwritten signature in black ink, appearing to read 'LB Walker', is written over a horizontal line.

LB Walker

Date: Oct 2, 2019